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C O N F I D E N T I A L SECTION 01 OF 02 KHARTOUM 001098

SIPDIS

DEPARTMENT FOR A/S FRAZER, S/E WILLIAMSON, AND AF/SPG  
NSC FOR PITTMAN AND HUDSON  
ADDIS ABABA FOR USAU

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TAGS: [ASEC](#) [PGOV](#) [PREL](#) [KPKO](#) [UN](#) [AU](#) [SU](#)

SUBJECT: ARAB LEAGUE NEGOTIATES FOUR-POINT PLAN WITH GOS ON  
ICC INDICTMENT

REF: A. KHARTOUM 1092

[1](#)B. KHARTOUM 1090

Classified By: CDA Alberto M. Fernandez, for reasons 1.4 (b) and (d)

[1](#)1. (C) In response to the ICC indictment of President Bashir, Arab League Secretary General Amr Mousa negotiated a four-point plan with GOS officials July 21 in Khartoum, according to AU Ambassador to Sudan Dr. Salah Halima and UNMIS polchief Muin Shreim. Halima told polchief and Shreim he is "optimistic" the plan will work and seemed almost giddy as he departed negotiations at the Rotana Hotel in Khartoum late in the evening of July 21. The GOS made a conscious decision to conduct the discussions openly in the lounge area of the modern Rotana Hotel, allowing international and local media to film the event, presumably to demonstrate its openness to receiving suggestions from the Arab League.

[1](#)2. (C) The basic plan consists of: 1) a national judicial process in Sudan to investigate charges against Ali Kushayb and Ahmed Haroun, who already have ICC warrants against them (up to this point the GOS has refused to cooperate with the ICC on their cases and made Haroun a State Minister of Cooperation); 2) an expedited Darfur dialogue that will include civil society and IDPs as well as rebels; 3) engagement with opposition political parties as part of a national consultation on Darfur; and 4) continuing GOS commitment to UN mandates in Sudan. Although AL Ambassador Halima seemed pleased with this result, Muin and polchief pointed out that the plan needs greater detail and that the so far modest proposals on Darfur are unlikely to be adequate to satisfy the international community, who want to see the regime address the needs of IDPs in a comprehensive manner.

[1](#)3. (C) For his part, President Bashir loudly proclaimed in a statement published widely in the Sudanese media July 22 that he would "not surrender one hair of one Sudanese" to a foreign court. As part of his pro-active campaign to demonstrate his commitment to resolving the crisis in Darfur, President Bashir has announced that he plans to travel to El Fasher and Nyala July 23 and El Geneina on July 24. Sudanese ICG representative Fouad Hikmat told CDA and polchief July 21 that he doesn't expect anything major to come from the President's trip, "possibly the announcement of a road and some water projects." Hikmat shares post's views that the regime needs to announce something major on Darfur (as outlined in ref a) in order to seriously address Darfur, rather than the incremental approach that the regime always prefers. (Note: Hikmat, a Sudanese national working openly

for the ICG in Sudan, announced his research intentions to the GOS and met with NISS officials including Ghosh during his two-week trip into Sudan from his home base of Nairobi. Hikmat appears to be following a similar research model to Alex de Waal, who meets with GOS officials and other Sudanese political figures while making a commitment to provide balanced analysis and reporting, while openly sharing the information he receives from each interlocutor with the other interlocutors. Our message to him was consistent with what we have been telling the GOS. End note.)

14. (C) Comment: The Arab League seems pleased that it was able to achieve something quickly from the Sudanese, who love to negotiate and offer concessions (on points that they have previously made commitments in various earlier agreements). This may satisfy the Arab League (and helps Amr Mousa finesse the question of Sudanese non-recognition of the ICC since the GOS has offered to try Haroun and Kushayb in Sudan) but it will likely not be enough for the P-3 to consider deferring the ICC indictment against Bashir at the Security Council, which appears to be the regime's primary objective at this point. Bashir should announce a dramatic plan on Darfur that will satisfy the needs of IDPs and meet the demands of rebels, but unfortunately, based on the modest steps agreed to with the Arab League, he appears poised to make only incremental steps so as not to appear to be capitulating to the west (and his own people in Darfur). The Sudanese do seem to realize more is required and UN DSRSG notified CDA that the Sudanese have now formally notified UNAMID FC Agwei on July 22 of their acceptance of Thai and Nepalese (a Thai Infantry Battalion and a Nepalese Formed Police Unit) units as part of the force.

KHARTOUM 00001098 002 OF 002

FERNANDEZ